



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln of: GEER et al

Atty. Docket No.:
FCC100CIPRCEDIVCON

Title: FOOTWEAR STRUCTURE AND METHOD OF FORMING THE
SAME

Serial No.: 10/713,769

Art Unit: 3728

Filed: November 14, 2003

Customer No. 32047

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

The references listed on the attached form PTO-1449 relate to the subject matter of the present invention and are brought to the attention of the Patent and Trademark Office pursuant to 37 C.F.R. 1.56 and 1.98.

Each of the cited references was properly cited in compliance with 37 CFR 1.98 (a) through (c) in parent application serial number 09/609,620, now U.S. Patent No. 6,519,876, and application serial number 10/308,320, now U.S. Patent No. 6,701,643 which are relied upon for an earlier filing date pursuant to 35 U.S.C. §120. Since copies of such references were properly provided in the parent applications, copies are not enclosed herewith pursuant to 37 CFR 1.98(d).

This statement is being submitted prior to a first office action on the merits. While this statement contains relevant information presently known to the applicant, it should not be interpreted as a representation that an exhaustive search has been conducted or that no other relevant information exists. Also, this statement should not be interpreted as a representation

that any cited reference is prior art, or that any cited reference is "material to patentability" as defined in 37 CFR §1.56. The applicant invites the Examiner to make an independent evaluation of each cited reference to determine their relevance to the subject matter of the present application.

Respectfully submitted,

GROSSMAN, TUCKER, PERREAULT &
PFLEGER, PLLC

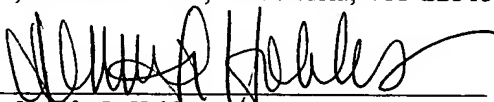


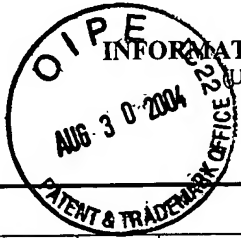
Donald J. Perreault
Reg. No. 40,126
Grossman, Tucker, Perreault & Pfleger, PLLC
55 South Commercial Street
Manchester, NH 03101
Ph: 603.668.6560

Dated: August 27, 2004

CERTIFICATION UNDER 37 CFR 1.8

I hereby certify that this INFORMATION DISCLOSURE STATEMENT along with any paper or document referred to therein as being attached or enclosed, is being deposited with the United States Postal Service on this August 27, 2004 as postage pre-paid first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By 
Jennifer L. Hobbs



INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Docket Number (optional)
FCC100CIPDIVCON

Application No.
10/713,769

Applicants(s)
GEER et al

Filing Date
11/14/2003

Group Art Unit
3728

U.S. PATENT DOCUMENTS

*Examiner Initial	REF	DOCUMENT NUMBER	DATE	NAME	CLASS/SUBCLASS	FILING DATE IF APPROPRIATE
		<u>4497</u>	May., 1846	Vetter	36/7.	
		<u>597524</u>	Jan., 1898	Molloy et al.		
		<u>641642</u>	Jan., 1900	Gunn.		
		<u>797966</u>	Aug., 1905	Lange et al.	36/97.	
		<u>1148604</u>	Aug., 1915	McBrearty.		
		<u>1974543</u>	Sep., 1934	Reymond.		
		<u>2016070</u>	Oct., 1935	Brokman	36/25.	
		<u>2317880</u>	Apr., 1943	Bingham, Jr.	12/142.	
		<u>2317918</u>	Apr., 1943	Knipe	36/22.	
		<u>2371322</u>	Mar., 1945	Toothaker	36/76.	
		<u>2437065</u>	Mar., 1948	Austin	36/3	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/SUBCLASS	TRANSLATION	
						YES	NO
		3429284	2/1986	DE			
		1218101	5/1960	FR			
		2501480	9/1982	FR			
		WO96/18317	6/1996	WO			
		WO01/82733 A1	11/2001	WO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Dakkak Brothers Company, Our Products: Microcellular Rubber Sheets, T.P.R.--Granules, EVA Compound, Rubber Compound [online], http://www.dakkakco.com/products1.html [retrieved on Jun. 7, 2001], pp. 1/3-3/3.
	Acor Orthopaedic, Inc., Poron [online], http://www.acor.com/srp.htm , [retrieved on Jun. 5, 2001], pp. 1/3-3/3.

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include Copy of this form with next communication to applicant

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Docket Number (optional) FCC100CIPDIVCON	Application No. 10/713,769
	Applicants(s) GEER et al	
	Filing Date 11/14/2003	Group Art Unit 3728

U.S. PATENT DOCUMENTS

*Examiner Initial	REF	DOCUMENT NUMBER	DATE	NAME	CLASS/SUBCLASS	FILING DATE IF APPROPRIATE
		<u>2456102</u>	Dec., 1948	Agostinelli	36/68.	
		<u>2719367</u>	Oct., 1955	Bergmans	36/12.	
		<u>2887793</u>	May., 1959	Starr	36/3.	
		<u>3026635</u>	Mar., 1962	Slade.		
		<u>3389481</u>	Jun., 1968	England.		
		<u>3404468</u>	Oct., 1968	Rosen	36/11.	
		<u>3624930</u>	Dec., 1971	Johnson et al.	36/43.	
		<u>3629961</u>	Dec., 1971	Seif	36/2.	
		<u>3705463</u>	Dec., 1972	Lown	36/25.	
		<u>3724105</u>	Apr., 1973	Weight	36/44.	
		<u>3916539</u>	Nov., 1975	Pankin et al.	36/51	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Bontex, Our Products [online], http://bontex.com/products.html , [retrieved Jun. 4, 2001], pp. 1/2-2/2.
	Acor Orthopaedic, Inc., SRP [online], http://www.acor.com/srp.htm , [retrieved on Jun. 5, 2001], pp. 1/2-2/2.

EXAMINER	DATE CONSIDERED
-----------------	------------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include Copy of this form with next communication to applicant

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Docket Number (optional)
FCC100CIPDIVCON

Application No.
10/713,769

Applicants(s)
GEER et al

Filing Date
11/14/2003

Group Art Unit
3728

U.S. PATENT DOCUMENTS

*Examiner Initial	REF	DOCUMENT NUMBER	DATE	NAME	CLASS/SUBCLASS	FILING DATE IF APPROPRIATE
		<u>3952430</u>	Apr., 1976	Pankin et al.	36/51.	
		<u>4084333</u>	Apr., 1978	Del Vecchio	36/43.	
		<u>4215493</u>	Aug., 1980	Antonious	36/51.	
		<u>4262435</u>	Apr., 1981	Block et al.	36/129.	
		<u>4270285</u>	Jun., 1981	Antonious	36/50.	
		<u>4354319</u>	Oct., 1982	Block et al.	36/114.	
		<u>4366629</u>	Jan., 1983	Scherz.		
		<u>4451995</u>	Jun., 1984	Antonious	36/51.	
		<u>4489509</u>	Dec., 1984	Libit.		
		<u>4506460</u>	Mar., 1985	Rudy	36/28.	
		<u>4516336</u>	May., 1985	Nissenbaum.		

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include Copy of this form with next communication to applicant

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Docket Number (optional) FCC100CIPDIVCON	Application No. 10/713,769
	Applicants(s) GEER et al	
	Filing Date 11/14/2003	Group Art Unit 3728

U.S. PATENT DOCUMENTS

*Examiner Initial	REF	DOCUMENT NUMBER	DATE	NAME	CLASS/SUBCLASS	FILING DATE IF APPROPRIATE
		<u>4541184</u>	Sep., 1985	Leighton	36/44.	
		<u>4551930</u>	Nov., 1985	Graham et al.	36/30.	
		<u>4554749</u>	Nov., 1985	Ostrander	36/102.	
		<u>4559723</u>	Dec., 1985	Hamy et al.	36/102.	
		<u>4562652</u>	Jan., 1986	Hensler.		
		<u>4590123</u>	May., 1986	Hashimoto et al.	428/316.	
		<u>4627178</u>	Dec., 1986	Sullivan et al.	36/44.	
		<u>4654983</u>	Apr., 1987	Graham et al.	36/30.	
		<u>4658516</u>	Apr., 1987	Beck	36/59.	
		<u>4724624</u>	Feb., 1988	Duclos	36/116.	
		<u>4733483</u>	Mar., 1988	Lin	36/28	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER		DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include Copy of this form with next communication to applicant

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Docket Number (optional)
FCC100CIPDIVCON

Application No.
10/713,769

Applicants(s)
GEER et al

Filing Date
11/14/2003

Group Art Unit
3728

U.S. PATENT DOCUMENTS

*Examiner Initial	REF	DOCUMENT NUMBER	DATE	NAME	CLASS/SUBCLASS	FILING DATE IF APPROPRIATE
		<u>4739765</u>	Apr., 1988	Sydor et al.	128/615.	
		<u>4742625</u>	May., 1988	Sydor et al.	36/3.	
		<u>4835884</u>	Jun., 1989	Bianchini et al.	36/24.	
		<u>4843741</u>	Jul., 1989	Yung-Mao	36/114.	
		<u>4845863</u>	Jul., 1989	Yung-Mao	36/114.	
		<u>4881328</u>	Nov., 1989	Yung-Mao	36/28.	
		<u>4897938</u>	Feb., 1990	Otsuka	36/88.	
		<u>4905382</u>	Mar., 1990	Yung-Mao	36/107.	
		<u>4908962</u>	Mar., 1990	Yung-Mao	36/28.	
		<u>4910887</u>	Mar., 1990	Turner et al.	326/114.	
		<u>4967492</u>	Nov., 1990	Rosen	36/97.	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include Copy of this form with next communication to applicant

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Docket Number (optional) FCC100CIPDIVCON	Application No. 10/713,769
	Applicants(s) GEER et al	
	Filing Date 11/14/2003	Group Art Unit 3728

U.S. PATENT DOCUMENTS						
*Examiner Initial	REF	DOCUMENT NUMBER	DATE	NAME	CLASS/SUBCLASS	FILING DATE IF APPROPRIATE
		<u>5025573</u>	Jun., 1991	Giese et al.	36/30.	
		<u>5060402</u>	Oct., 1991	Rosen	36/97.	
		<u>5086572</u>	Feb., 1992	Lee	36/3.	
		<u>5123181</u>	Jun., 1992	Rosen	36/97.	
		<u>5203097</u>	Apr., 1993	Blair	36/59.	
		<u>5337492</u>	Aug., 1994	Anderie et al.	36/28.	
		<u>5367791</u>	Nov., 1994	Gross et al.	36/31.	
		<u>5367792</u>	Nov., 1994	Richard et al.	36/114.	
		<u>5384973</u>	Jan., 1995	Lyden	36/28.	
		<u>5400526</u>	Mar., 1995	Sessa	36/3.	
		<u>5408761</u>	Apr., 1995	Gazzano	36/88	

FOREIGN PATENT DOCUMENTS							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
EXAMINER	DATE CONSIDERED	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include Copy of this form with next communication to applicant

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Docket Number (optional) FCC100CIPDIVCON	Application No. 10/713,769
	Applicants(s) GEER et al	
	Filing Date 11/14/2003	Group Art Unit 3728

U.S. PATENT DOCUMENTS

*Examiner Initial	REF	DOCUMENT NUMBER	DATE	NAME	CLASS/SUBCLASS	FILING DATE IF APPROPRIATE
		<u>5423135</u>	Jun., 1995	Poole et al.	36/25.	
		<u>5425186</u>	Jun., 1995	Hoyt.		
		<u>5469639</u>	Nov., 1995	Sessa	36/28.	
		<u>5529830</u>	Jun., 1996	Dutta et al.	428/176.	
		<u>5555650</u>	Sep., 1996	Longbottom et al.	36/114.	
		<u>5675914</u>	Oct., 1997	Cintron	36/3.	
		<u>5727271</u>	Mar., 1998	Romanato et al.	12/142.	
		<u>5729912</u>	Mar., 1998	Gutkowski et al.	36/97.	
		<u>5765296</u>	Jun., 1998	Ludemann et al.	36/51.	
		<u>5804011</u>	Sep., 1998	Dutta et al.	156/160.	
		<u>5809665</u>	Sep., 1998	Suenaga	36/43	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
----------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include Copy of this form with next communication to applicant

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Docket Number (optional) FCC100CIPDIVCON		Application No. 10/713,769	
				Applicants(s) GEER et al			
				Filing Date 11/14/2003		Group Art Unit 3728	
U.S. PATENT DOCUMENTS							
*Examiner Initial	REF	DOCUMENT NUMBER	DATE	NAME	CLASS/SUBCLASS	FILING DATE IF APPROPRIATE	
		<u>5813146</u>	Sep., 1998	Gutkowski et al.	36/97.		
		<u>5829171</u>	Nov., 1998	Weber et al.	36/93.		
		<u>5879725</u>	Mar., 1999	Potter	425/403.		
		<u>5893219</u>	Apr., 1999	Smith et al.	36/3.		
		<u>5915820</u>	Jun., 1999	Kraeuter et al.	36/114.		
		<u>5940990</u>	Aug., 1999	Barret	36/55.		
		<u>5946825</u>	Sep., 1999	Koh et al.	36/44.		
		<u>5948707</u>	Sep., 1999	Crawley et al.	422/101.		
		<u>5996253</u>	Dec., 1999	Spector	36/27.		
		<u>6014824</u>	Jan., 2000	Gumbert	36/103.		
		<u>6023857</u>	Feb., 2000	Vizy et al.	36/30		
FOREIGN PATENT DOCUMENTS							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/SUBCLASS	TRANSLATION YES NO	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include Copy of this form with next communication to applicant							

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Docket Number (optional) FCC100CIPDIVCON		Application No. 10/713,769	
				Applicants(s) GEER et al			
				Filing Date 11/14/2003		Group Art Unit 3728	
U.S. PATENT DOCUMENTS							
*Examiner Initial	REF	DOCUMENT NUMBER	DATE	NAME	CLASS/SUBCLASS	FILING DATE IF APPROPRIATE	
		<u>6029376</u>	Feb., 2000	Cass	36/50.		
		<u>6050001</u>	Apr., 2000	Ditrtrich	36/35.		
		<u>6065230</u>	May., 2000	James	36/25.		
		<u>6092305</u>	Jul., 2000	Troy et al.	36/3.		
		<u>6105279</u>	Aug., 2000	Bouchoms	36/25.		
		<u>6115945</u>	Sep., 2000	Ellis, III	36/102.		
		<u>6119373</u>	Sep., 2000	Gebhard et al.	36/114.		
		<u>6122844</u>	Sep., 2000	Nunez	36/29.		
		<u>6138385</u>	Oct., 2000	Jungkind et al.	36/97.		
		<u>D433560</u>	Nov., 2000	Pawlus	D2/969.		
		<u>6205683</u>	Mar., 2001	Clark et al.	36/30		
FOREIGN PATENT DOCUMENTS							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/SUBCLASS	TRANSLATION	
						YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include Copy of this form with next communication to applicant							

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Docket Number (optional) FCC100CIPDIVCON		Application No. 10/713,769	
				Applicants(s) GEER et al			
				Filing Date 11/14/2003		Group Art Unit 3728	
U.S. PATENT DOCUMENTS							
*Examiner Initial	REF	DOCUMENT NUMBER	DATE	NAME	CLASS/SUBCLASS	FILING DATE IF APPROPRIATE	
		6519876	Feb., 2003	Geer et al.	36/76.		
		2002/0088145	Jul., 2002	Clark et al.	36/97		
FOREIGN PATENT DOCUMENTS							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/SUBCLASS	TRANSLATION	
						YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include Copy of this form with next communication to applicant							